

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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BY ORDER OF THE COMMANDER PACIFIC AIR FORCES
DOD REGULATION 5400.7-R/AIR FORCE SUPPLEMENT
PACIFIC AIR FORCES COMMAND

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10 JANUARY 2001

Information Management

DOD FREEDOM OF INFORMATION ACT PROGRAM

OPR: HQ PACAF/SCXPF (Melvin R. Anderson)

Certified by: HQ PACAF/SCX (Col James A. Wedertz)

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This publication does apply to the Air National Guard (ANG) upon mobilization and does not apply to the US Air Force Reserve (USAFR) units and members.

DOD 5400.7-R/AFSUP, 22 July 1999, is supplemented as follows:

C1.3.1.1. (PACAF) The Office of Primary Responsibility (OPR) will process proposed denial/partial denial of functional requests through the office of the Staff Judge Advocate and the Base FOIA Manager.

C1.4.5. (PACAF) The Chief, Plans and Resources, Directorate of Communications and Information (HQ PACAF/SCX), and the Chief, Complaints & Inquiries, Office of the Inspector General (HQ PACAF/IGQ)(IG record only), are designated as Initial Denial Authority for PACAF.

C1.5.3. (PACAF) The Directorate of Communications and Information (HQ PACAF/SC) has overall responsibility for the FOIA Program in PACAF. The Base Communications Squadron has overall responsibility for the FOIA Program at PACAF installations.

C1.5.3.6.7. (Added) (PACAF) Provide FOIA Manager with a written "no records" response. Indicate how the search was conducted (manual, computer, etc.)

C1.5.3.6.8. (Added) (PACAF) Record processing costs on DD Form 2086, Record of Freedom of Information (FOI) Processing Cost (see Appendix 3).

C1.5.3.7. (PACAF) FOIA managerial responsibilities will be performed by the host base Records Manager (RM). If the RM function is contracted, the Communications Squadron Commander will designate the base FOIA Manager. Provide the name of the FOIA Manager to HQ PACAF/SCXP by phone, email, or letter.

C1.5.3.7.1.18. (Added) (PACAF) When denial or partial denial is recommended, the FOIA Manager will forward one complete copy of the requested information to HQ PACAF/SCX (FOI) and ensure the following actions.

C1.5.3.7.1.18.1. (Added) (PACAF) No records are released prior to forwarding.

C1.5.3.7.1.18.2. (Added) (PACAF) An appropriate disclosure authority (Paragraph 5.2.1.2.) signs the memorandum recommending denial or partial denial. See Appendix 7.13.1.1. (Added) (PACAF).

C1.5.3.7.1.18.3. (Added) (PACAF) Send a letter notifying the requester of the referral. See Appendix 7.3.1 (Added) (PACAF).

C1.5.3.7.1.18.4. (Added) (PACAF) The package contains: the FOIA request; a legal opinion supporting the recommendation; an OPR recommendation; all requested records with denial recommendation(s) highlighted in yellow; and all correspondence with base agencies and the requester (tasking letters, extensions, referral letter, DD Form 2086, etc.). Assemble records as illustrated in Appendix 7. (Added PACAF)

C1.5.3.7.1.19. (Added) (PACAF) The FOIA Manager will maintain a complete copy of all responsive records, coordination, and correspondence with requester in accordance with AFMAN 37-139, Table 37-19, Rule 24. If the responsive records are too voluminous to warrant duplication and maintenance by the FOIA Manager, the FOIA Manager will ensure the record OPR maintains the records according to Rule 24 or according to the disposition instruction for the related records, whichever is longer.

C1.5.14. (PACAF) Personal information on third parties such as SSN, home address or telephone, date of birth, etc., will be considered as non-response unless specifically requested. Consult with the requester for concurrence to withhold as indicated in sub-paragraphs below.

C3.2.1.1.2. (PACAF) FOIA packages forwarded to HQ PACAF/SCX (FOI) recommending denial or partial denial of classified information will include a written statement from an initial classification authority or declassification authority certifying the data was properly classified originally and that it remains properly classified per Executive Order 12958. The statement will contain justification for classification. See Appendix 7.14.1. and 7.14.2.

C3.2.1.4.8. (PACAF) The OPR will send the advisory letter after coordination with the staff judge advocate office and provide a copy to the FOIA Manager.

C3.2.1.6.2.2. (PACAF) Requests for local base telephone directories, staff directories, organizational charts received at overseas PACAF bases (Osan, Kunsan, Kadena, Misawa, and Yokota) whether or not they invoke the FOIA will be logged as a FOIA request and forwarded to HQ PACAF/SCX (FOI) for denial.

C5.1.1.2.2. (PACAF) When the host base FOIA manager supports tenant units, responsibilities will be included in a host tenant support agreement.

C5.2.1.2. (PACAF) Within HQ PACAF, Division Chiefs are disclosure authorities. At PACAF bases, commanders and vice/deputy commanders of numbered air forces, wings, and groups are disclosure authorities. Further delegation is not authorized.

C5.3.1.1. (PACAF) HQ PACAF/JAQ will provide HQ PACAF/SCX (FOI) with a written opinion on substantive issues raised in the appeal.

C6.1.2. (PACAF) Base FOIA managers will use DD Form 2086 to compile and assess fees to requesters and provide cost statistics for the Annual FOIA Report.

C7.1.1.1. (PACAF) Base FOIA managers send report to HQ PACAF/SCX (FOI) by 10 Oct for consolidation.

AP7.3.1. (Added) (PACAF) Provide the following interim response when forwarding denial/partial denial packages to HQ PACAF.

This is an interim response to your Freedom of Information Act request, dated January 22, 2000. We forwarded your request to HQ PACAF/SCX (FOI) on February 7, 2000 for review and processing. They will respond directly to you at the earliest possible date.

Refer any question to HQ PACAF/SCX (FOI), 25 E St Ste C220, Hickam AFB HI 96853-5409.

AP7.13.1.1. (Added) (PACAF) Provide the following recommendation for denial/partial denial letter when forwarding packages to HQ PACAF:

MEMORANDUM FOR HQ PACAF/SCX (FOI)
25 E St Ste C220
Hickam AFB HI 96853-5409

FROM:

Subject: Recommendation for (Denial/Partial Denial) of FOIA Request - Name of Requester

1. Recommend (denial/partial denial) of the attached records requested by (name of requester/name of company). (Provide reason for recommending denial/partial denial)
2. Please refer questions to the (name of base) FOIA office at DSN 000-0000

Disclosure Authority

Attachments:

1. Original FOIA Request
2. JA Opinion
3. OPR Recommendation

4. One complete legible copy of requested records with portions recommended for denial marked with yellow highlighter
5. Other administrative processing documents (i.e., tasking letter, copy of letter notifying requester of referral to HQ PACAF, etc.)

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Director, Communications & Information